

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

MARK ANTHONY ADELL,

Plaintiff,

v.

RANDALL HEPP, CHRIS KRUEGER,
JOHN MAGGIONCALDA, LT. JOHN
CONGDON, MARK SCHOMISCH,
WISCONSIN DEPARTMENT OF
CORRECTIONS, and JON LITSCHER,

Defendants.

Case No. 17-CV-267-JPS

ORDER

On September 6, 2017, Plaintiff filed a motion to compel discovery responses from Defendants. (Docket #23). He says he requested documents from Defendants, though he does not provide a copy of his requests or even explain what types of documents he seeks. *Id.* All he says about the requests is that Defendants have not responded to them within the time period permitted under the Federal Rules of Civil Procedure. *Id.*

The Court must deny the motion, as it is premature. Before seeking Court intervention into discovery matters, Plaintiff must first serve discovery requests on Defendants consistent with the requirements of the Federal Rules of Civil Procedure. If Defendants do not appropriately respond to Plaintiff's discovery requests, Plaintiff must then make good-faith efforts to confer with Defendants' counsel to resolve the matter without involving the Court. *See Fed. R. Civ. P. 37(a)(1); Civ. L. R. 37.* If those efforts fail, then and only then may Plaintiff file a motion to compel discovery responses with the Court. *See Ross v. Board of Regents of Univ. of*

Wis. Sys., No. 08-CV-230, 2008 WL 5129941, at *1 (E.D. Wis. Dec. 5, 2008);
Williams v. Frank, No. 06C1051, 2007 WL 1217358, at *1 (E.D. Wis. Apr. 19, 2007).

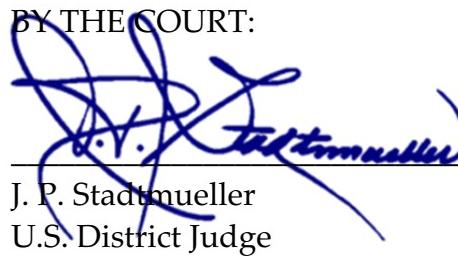
And, if he should file such a motion in the future, Plaintiff is warned that he must do more than simply reference Defendants' failure to respond to a discovery request. Rather, he must provide evidence regarding the nature of the request at issue, as well as Defendants' response thereto (if any), and provide argument and citation to authority as to why the motion to compel should be granted. Unfortunately, none of these things is present in the instant motion, although it must be denied in any event for Plaintiff's failure to engage in meet-and-confer efforts, as noted above.

Accordingly,

IT IS ORDERED that Plaintiff's motion to compel discovery responses (Docket #23) be and the same is hereby **DENIED**.

Dated at Milwaukee, Wisconsin, this 6th day of September, 2017.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge